

REMARKS

The Applicants wish to thank Examiner C. Dune Ly for courtesies shown during the telephone conversation of September 9, 2003, in which it was discussed that the inventions are not distinct and the Examiner agreed to withdraw the restriction requirement.

Election/Restriction

In view of the foregoing, the Applicants elect by default Claims 1-120.

Concluding Remarks

Accordingly, examination, consideration and early allowance and issuance of this application is respectfully requested. Should the Examiner have any questions regarding this response or need any additional information, please contact the undersigned at (310) 589-8158.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 50-2691. In particular, if this response is not timely filed, the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136(a) requesting an extension of time of the number of months necessary to make this response timely filed. The petition fee due in connection therewith may be charged to deposit account no. 50-2691.

Respectfully submitted,

Date

09/16/2003

Cary Tope-McKay
Registration No. 41,350

Cary Tope-McKay
TOPE-MCKAY & ASSOCIATES



US App. No. 10/040,210

BDI001OA1

23852 Pacific Coast Hwy. #311
Malibu, Ca 90265
Tel: 310.589.8158
Mobile: 310.383.7468
Fax: 310-943-2736
E-mail: cmckay@topemckay.com

5

RE
SEP 22
T